

# Summary Table of the New 49 CFR Part 659 Requirements to CPUC and Rail Transit Agencies (RTA)

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	New 49 CFR Part 659 requirements to CPUC	Resulting CPUC Requirements To RTA	Notes
CPUC General Order and Procedures	<ul style="list-style-type: none"> <li>CPUC should develop and distribute a Program Standard which is a compilation of processes and procedures that governs the conduct of oversight program and provide guidance to RTA for complying with the standard</li> </ul>	<ul style="list-style-type: none"> <li>Conduct a meeting/workshop to discuss the revised rule and its implication for the CPUC and RTA's SSPP and Security Plan by February 2006</li> <li>During the CPUC/RTA meeting, devise an approach to meeting new rule requirements for the Hazard Management Process, Protection of security-related materials from public disclosure, ISA process, and Accident Notification and Investigation by February 2006</li> <li>RTA should review and comment on the DRAFT GO 164-D and RTSS Procedures by the end of January 27, 2006</li> </ul>	The State Safety Oversight Program Standard would be CPUC General Order 164-D.
SSPP	<ul style="list-style-type: none"> <li>Require RTA to develop SSPP that complies with GO 164 and 21 elements in § 659.19 of the new 49 CFR</li> <li>Review and formally approve SSPP and referenced procedures</li> <li>Require RTA to review its own SSPP annually for updates</li> <li>Review and approve RTA's revised SSPP and referenced procedures</li> </ul>	<ul style="list-style-type: none"> <li>RTA should revise and submit their SSPP and Security Plan to CPUC by 3/15/06</li> </ul>	FTA required CPUC to review and approve each RTA SSPP and Security Plan by 4/30/06.
Security Plan	<ul style="list-style-type: none"> <li>Require RTA to develop Security Plan that complies with GO 164 and 5 elements in § 659.23 of the New 49 CFR</li> <li>Review and formally approve Security Plan and referenced procedures</li> <li>Require RTA to review its own Security Plan annually for updates</li> <li>Review and approve RTA's revised Security Plan and referenced procedures</li> </ul>	<ul style="list-style-type: none"> <li>RTA should revise and submit their SSPP and Security Plan to CPUC by 3/15/06</li> </ul>	FTA required CPUC to review and approve each RTA SSPP and Security Plan by 4/30/06.
Internal Safety and Security Review (ISA)	<ul style="list-style-type: none"> <li>Require RTA to conduct on-going ISA for all elements in the SSPP and Security Plan over three year period</li> <li>Require RTA to submit checklists and procedures used for ISA</li> <li>Require RTA to notify CPUC at least 30 days prior to the conduct of an ISA activity</li> <li>Require RTA to submit Annual Report documenting ISA activities and the status of subsequent findings and corrective actions</li> <li>Review and approve RTA Annual Report</li> <li>Require RTA's chief executive to submit a certificate (as a part of the Annual Report) stating its compliance to SSPP and Security Plan</li> </ul>	<ul style="list-style-type: none"> <li>RTA should develop a procedure (with checklists) for conducting ISA</li> <li>RTA should notify CPUC at least 30 days prior to the conduct of and ISA activity</li> <li>RTA should utilize the checklist in conducting the ISA (the checklist should be provided to CPUC prior to the ISA activity)</li> <li>RTA should submit their Annual Report to CPUC along with the RTA's chief executive's SSPP and Security Plan compliance certificate</li> </ul>	Currently, the Annual Report from RTA is due by February 15 of each year.
Hazard Management Process (HMP)	<ul style="list-style-type: none"> <li>Require RTA to develop and document HMP in its SSPP</li> <li>Require RTA to address its approach to Hazard Management and implementation of Hazard Resolution Process (HRP)</li> <li>Require RTA to specify: 1) on-going hazard identification methods, 2) elimination/control process for identified hazards, 3) mechanism for tracking the resolution of identified hazards</li> <li>Require RTA specify: 1) minimum threshold for notification and reporting of hazards to CPUC, 2) on-going reporting of hazard resolution process to CPUC</li> </ul>	<ul style="list-style-type: none"> <li>RTA should develop HMP and HRP according to the § 659.31 of the new 49 CFR Part 659</li> <li>RTA should develop and specify minimum threshold for Hazard Notification and Reporting to CPUC</li> </ul>	
Accident Notification and Investigation	<ul style="list-style-type: none"> <li>Use thresholds from § 659.33 for notification within 2 hours</li> <li>Specify requirements for RTA for accident notification to CPUC – time frame, methods, and information</li> <li>Require RTA to notify CPUC of FRA-reportable accidents (if any)</li> <li>Investigate accidents meeting § 659.33 thresholds                             <ul style="list-style-type: none"> <li>CPUC may authorize (formally, in writing, combined with review and approval of RTA's AIP) RTA to conduct investigation on behalf of CPUC</li> <li>CPUC may join NTSB investigation</li> </ul> </li> <li>Document each investigation in a final report</li> </ul>	<ul style="list-style-type: none"> <li>For each accident reported, RTA has to submit a Final Accident Investigation Report to CPUC whether or not they conducted the investigation on behalf of CPUC</li> </ul>	
Triennial Safety and Security Reviews	<ul style="list-style-type: none"> <li>Conduct on-site Triennial Safety and Security Review of the RTA's implementation of its SSPP and Security Plan</li> <li>On-site Review may be conducted in an on-going manner over three year timeframe</li> </ul>	<ul style="list-style-type: none"> <li>RTA should review CPUC's draft Audit Report for comments and reconciliations</li> <li>RTA should follow CPUC's appeal process for the unresolved items on the Final Report</li> </ul>	

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(Audits)	<ul style="list-style-type: none"><li>• Issue a report containing Findings and Recommendations after each on-site audit cycle</li><li>• The report must include an analysis of the effectiveness of SSPP and Security Plan and a determination of whether the Plans should be updated</li></ul>		
Corrective Action Plans (CAP)	<ul style="list-style-type: none"><li>• Specify criteria for RTA's CAP development</li><li>• Specify process for RTA's review and approval of its developed CAP</li><li>• Develop a process for managing conflicts with RTA relating to CAP development</li><li>• Require RTA to develop CAP to address findings from investigations and Triennial Audits</li><li>• Review and approve RTA's CAP</li><li>• Require RTA to provide: 1) CAP implementation verification, 2) periodic CAP implementation status report</li><li>• Monitor and track the implementation of each approved CAP</li></ul>	<ul style="list-style-type: none"><li>• For each Accident Investigation or Internal Safety and Security Audit, the RTAs have to identify Corrective Actions</li><li>• RTAs should submit Corrective Action Plan Implementation Schedules to CPUC</li><li>• RTA should provide periodic CAP Implementation Status Report to CPUC until completion</li><li>• When a CAP implementation is completed, the RTA should submit CAP Implementation Verification to CPUC</li></ul>	